Remarks/Arguments:

Claims 1-5, 7-10, 17-26, 28-32, and 34-38 are pending in this application and all the pending claims stand finally rejected by the examiner. Claims 1, 10, 19, 28, and 35 are independent claims. Assignee traverses the rejections.

Claims 1-5, 9-10, 28, 30-32, and 35-38 stand finally rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0016801 (Reiley). Claims 7, 17, 19-20, 22-25, and 34 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Reiley in view of U.S. Patent Publication No. 2004/0073872 (Yalovsky). Claims 8, 18, and 29 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Reiley in view of U.S. Patent Publication No. 2003/0145279 (Bourbakis). Claim 26 stands finally rejected under 35 U.S.C. §§ 103(a) as being unpatentable over Reiley and Yalovsky in view of U.S. Patent No. 6,925,595 issued to Whitledge et al. (Whitledge). Applicant respectfully disagrees that the cited references disclose the subject matter of the pending claims.

With respect to independent claims 1 and 10 of the instant application, the method disclosed in Reiley does not disclose the subject matter of the claim. The method disclosed in Reiley is specifically limited to parsing a Web document to create a data structure containing a hierarchical organization of elements from the Web document (claim 1 of Reiley). The passages from Reiley cited in the office action also

acknowledge that Reiley is limited to documents that have such a hierarchical structure. For example, paragraph [0015] states:

> According to one aspect of the invention, a content transformer transforms a Web document from a first format into a second format. The content transformer retrieves a copy of the Web document, wherein the Web document comprises one or more elements that are delimited and identified by tags within the Web document; parses the Web document to create a first data structure comprised of a first hierarchical organization of elements from the Web document; conducts a semantic analysis of the elements in the data structure; and re-arranges the elements in the first data structure based upon the semantic analysis to form a second data structure comprised of a new hierarchical organization of elements from the Web page, wherein the new hierarchical organization differs from the first hierarchical organization.

while paragraph [0065] states:

> The re-arrangement may include re-organization of the nodes in the hierarchy, removal of one or more nodes from the hierarchy, merging of nodes, and the addition or revision of node identifiers. The semantic analysis and re-arrangement preferably results in a transformed hierarchical structure that properly reflects the hierarchy of the elements of the content. The operations represented by flow diagram boxes 530 and 535 are preferably recursively performed on the hierarchical structure.

As these passages and the claim language make clear, the method in Reiley is limited to analyzing documents with a hierarchical structure. While the method disclosed in the instant application may analyze documents with a hierarchical structure, it also analyzes the content properties and content formatting and can use such data to generate content summaries.

Examiner notes that Reiley discloses determining if the electronic document has a predetermined content structure and in response selecting the plurality of summary entries from the electronic document based on the predetermined **content structure**, citing page 2, paragraph [0017]. The passage cited by the examiner summarizes operation of a

content transformer of Reiley for performing an analysis of the elements of a Web document, the analysis taking into account a structural arrangement of the elements, and rearranging (summarizing) the elements as a result of the analysis to generate a hierarchical data structure that represents the Web document. The content transformer than generates the user device formatted version of the Web document based upon a hierarchical data structure.

Examiner also argues that Reiley discloses selecting the plurality of summary entries from the electronic document based on differences in the **content properties**, citing page 3, paragraphs [0038] – [0041]. Specifically, the examiner argues that he cited passage teaches: "the Web page (electronic document) is divided into several elements including headings, paragraphs, lists, separators, graphics, tables, table items, etc." the examiner argues that these are "content properties", within the meaning of applicant's claims, and that the transformer "uses analysis rule to categorize the elements…"

The examiner has conveniently misquoted the passage from Reiley, which in fact reads: "the Web page 205 is divided into several **logical structures** or elements, including headings, paragraphs, lists, separators, graphics, tables, table items, etc." Thus, rather than teaching applicants selecting a plurality of summary entries from the electronic document based on differences in the **content properties**, Reiley teaches only selecting the plurality of summary entries from the electronic document based on the predetermined **content structure**.

As previously argued, claims 1 and 10 specifically recite that the claimed method may use either approach (based on the predetermined content structure **or** based on differences in the content properties) to generate content summaries. For at least these reasons, the method disclosed in Reiley does not disclose the subject matter of claims 1 and 10.

With respect to independent claim 28, the examiner maintains that Reiley discloses a formatted document summarization process which generates summary information by selecting a plurality of summary entries from an electronic document based on differences in content formatting identified in the electronic document. The office action cites paragraphs [0038]-[0041] of Reiley as support for this contention. The office action summarizes this cited passage thusly.

> "the web page (electronic document) is divided into several elements including headings, paragraphs, lists, separators, graphics, tables, table item, etc...and these are content properties, and the transformer uses analysis rules to categorize the elements".

As discussed above in connection with claims 1 and 10, examiner has misquoted the passage from Reiley, which in fact reads: "the Web page 205 is divided into several **logical structures** or elements, including headings, paragraphs, lists, separators, graphics, tables, table items, etc." Thus, rather than teaching applicant's selecting a plurality of summary entries from the electronic document based on differences in the **content properties**, Reiley teaches only selecting the plurality of summary entries from the electronic document based on the predetermined **content structure**.

Also, applicant does not take a position regarding whether such elements are **"content properties,"** as maintained in the office action, because, to the extent that examiner's position is relevant at all, it is relevant only to applicant's "structured document summarization process which generates summary information … based on a predetermined **content structure"**, but clearly of no relevance to applicant's "formatted document summarization process which generates summary information … based on **differences in content formatting** identified in the electronic document". For at least these reasons, the cited reference does not disclose the subject matter of claim 28 and cannot render the claim unpatentable.

With respect to independent claim 35, the language of the claim clearly elucidates that the system claimed in the instant application may rely either on the structure of the content of the electronic document or on the formatting of the content of the electronic document in order to generate summary information for electronic documents. As with the previously discussed claims, the subject matter of this claim is not disclosed in the Reiley reference, which operates only on the structure of an electronic document, not on the formatting of the content of an electronic document.

As discussed above in connection with claims 1 and 10, examiner has misquoted paragraphs [0038]-[0041] of Reiley, which in fact reads: "the Web page 205 is divided into several **logical structures** or elements, including headings, paragraphs, lists, separators, graphics, tables, table items, etc." Thus, rather than teaching applicant's selecting a plurality of summary entries from the electronic document based on differences in the **content formatting**, Reiley teaches only selecting the plurality of

summary entries from the electronic document based on the predetermined **content structure**. For at least these reasons, the cited reference does not render claim 35 unpatentable.

With respect to claim 19 of the instant application, the examiner maintains that the claimed subject matter is unpatentable over Reiley in view of Yalovsky. As discussed above in connection with independent claims 1, 10, 28 and 35, the examiner is incorrect in alleging Reiley discloses applicant's claimed "if the electronic document has content properties, selecting the plurality of summary entries from the electronic document based on differences in the content properties", much less "wherein the content properties comprises paragraph alignments or indents".

The examiner has misquoted the passage from Reiley, which in fact reads: "the Web page 205 is divided into several **logical structures** or elements, including headings, paragraphs, lists, separators, graphics, tables, table items, etc." Thus, rather than teaching applicants selecting a plurality of summary entries from the electronic document based on differences in the **content properties**, Reiley teaches only selecting the plurality of summary entries from the electronic document based on the predetermined **content structure**.

Applicant's **content formatting** and **content structure** are different things, no matter how strenuously the examiner argues otherwise.

As for Yalovsky disclosing a mechanism for pasting data from a source document into a destination document with different format, applicant respectfully traverses examiner's position that Fig. 4 and pages

3 – 4, paragraphs [0031] – [0032] of Yalovsky "implies identifying differences in paragraph alignments in the source document when pasting it to the destination document". As examiner has noted, in Yalovsky the levels of elements (paragraphs) are maintained but the format is changed. Applicant fails to understand how the paragraphs being maintained could possibly imply differences in paragraph alignments. There are no differences – they are "maintained".

For at least these reasons, the cited references do not render unpatentable the subject matter of claim 19 in the instant application.

CONCLUSIONS

Applicant believes that this application is now in condition for allowance. To the extent that any issues remain to be resolved, however, applicant requests that the Examiner contact the undersigned to resolve these issues.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 501432: ref: 555255-005011.

Respectfully submitted,

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